

Agenda Item No. 3.1
For Agenda of 12.13.05



Tigard City Council Meeting Minutes

Date: November 8, 2005
Time: 6:30 p.m.
Place: Tigard City Hall, 13125 SW Hall Boulevard
Tigard, Oregon
Attending: Mayor Craig Dirksen Presiding
Councilor Sally Harding
Councilor Sydney Sherwood
Councilor Nick Wilson
Councilor Tom Woodruff
Absent: --

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session Discuss Legal Services Request for Proposals Review Process	Interim Finance Director Indieke and Buyer Joe Barrett reviewed the number of proposals received and evaluation matrix criteria with the City Council. City Council consensus was to have City staff participate in the interviews. All firms that submitted applications will be interviewed.	Interviews will take place at 5 p.m. on Tuesday, November 15, prior to the CCDA and Council meetings. The CCDA meeting will start at 7 p.m. with the Council meeting following the CCDA meeting.
Study Session Discuss Increasing the Number of Citizen-At-Large Members Serving on the Tree Board	City Forester Matt Stine facilitated the discussion. Tree Board members present: Robert Cancelosi, Jim Bray, Janet Gillis, and Rob Callan. Tree Board Chair Gillis reviewed the request to increase the number of Tree Board members.	Council members agreed to the proposal. This item will be before the Council at its November 22 City Council meeting on the Consent Agenda.

Agenda Item	Discussion & Comments	Action Items (follow up)
<p>Study Session</p> <p>Discuss Amendments to Chapters 18.745 and 18.790, Landscaping and Screening, and Tree Removal, of the Tigard Municipal Code</p>	<p>City Forester Stine and Tree Board members presented information to the City Council. Council indicated support modifications to the Code; however, concerns were noted by the Council with regard to limiting plantings to native trees.</p> <p>The goal of Tree Board was to remedy situations where developers are required to plant trees, but after 10-plus years, these trees are not doing well; there is no canopy. Parking lot landscaping regulations need attention. Also plantings of invasive plant species have turned into a problem; "exotics" have been getting into natural areas.</p> <p>There was a suggestion that rather than a list of approved tree plantings, that a list of prohibited plant species be identified or a guideline recommending a percentage of native plantings be included in landscaping plans.</p>	<p>After discussion Council and Tree Board members agreed more work is needed. Councilor Wilson and Interim Community Development Director Coffee agreed to be involved in working on this matter with the Tree Board.</p>
<p>Study Session</p>	<p>> ADMINISTRATIVE ITEMS</p> <p><input checked="" type="checkbox"/> An insert will be placed in the next Cityscape regarding Urban Renewal.</p>	<p>Report/no action.</p>
	<p><input checked="" type="checkbox"/> November 29 is Fifth Tuesday. Next Fifth Tuesday will be January 31.</p>	<p>Since these two occurrences of a Fifth Tuesday are so close together, the City Council decided to cancel the November 29 meeting.</p> <p>Staff will post a notice on the web site noting the change.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session Continued – Administrative Items	<input checked="" type="checkbox"/> Krista Foltz, Tigard High School Envoy was unable to attend the meeting. Jillian Walker presented the report to the City Council.	See Item 2 below.
	<input checked="" type="checkbox"/> Council discussed setting a date for the January 2006 goal-setting meeting.	Council agreed to meet January 6, noon-5 p.m.
	<input checked="" type="checkbox"/> Select date to schedule a discussion on annexation policy.	Council agreed to have discussion on annexation policy during the January 15 workshop meeting.
	<input checked="" type="checkbox"/> Urban Renewal Presentations to Taxing Districts Meeting with TVR&R is scheduled for November 15, 7 p.m., which is during a City Council meeting. Meeting with County Board of Commissioners at 2 p.m. on November 22.	Staff will attend. No City Council member will attend since this is at the same time as a City Council meeting. Councilor Sherwood will attend with staff.
	<input checked="" type="checkbox"/> Discuss Downtown Task Force Membership and City Center Advisory Commission The Council discussed roles of the CCAC and the Downtown Task Force. The CCAC is required and its role defined as part of the City Charter and urban renewal plan process. Now that the Downtown Plan is complete, Council members will contact Task Force members to determine whether Task Force members, who are not serving on the CCAC, would be willing to serve on subcommittees to be formed for the urban renewal effort.	Council members will contact members of the Downtown Task Force and the CCAC to discuss roles and process.

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Executive Session	The Tigard City Council went into Executive Session at 7:20 p.m. under ORS 192.660 (2) (e) and (h) regarding a real estate transaction and to consult with Legal Counsel about litigation likely to be filed.	There was discussion of litigation issue only because of time constraints. Executive Session recessed and continued after the end of the Business Meeting.
1. Business Meeting	<p>1.1 Mayor Dirksen called the City Council and the Local Contract Review Board to Order at 7:36 p.m.</p> <p>1.2 Council Present: Mayor Dirksen, Councilors Harding, Sherwood, Wilson, and Woodruff.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications & Liaison Reports</p> <p>Councilor Harding reported on a recent meeting of the Tualatin Basin Natural Resources Committee. She referred to a potential Metro bond measure. Additional discussion will be held at the next meeting on December 12, 2005.</p> <p>1.5 Call to Council and Staff for Non-Agenda Items - None</p>	
2. Citizen Communication	<ul style="list-style-type: none"> ○ Tigard High School Student Envoy Krista Foltz was unable to attend. Jillian Walker presented the report and a copy of the highlights of THS activity last month is on file in the City Recorder's office. 	Report/no action.
	<ul style="list-style-type: none"> ○ Follow Up to Previous Citizen Communication – No follow up. 	No action.


Agenda Item	Discussion & Comments	Action Items (follow up)
3. Consent Agenda	3.1 Approve Council Minutes for September 20 and 27, 2005	<p>Motion by Councilor Sherwood, seconded by Councilor Wilson, to approve the Consent Agenda as presented.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p>
	3.2 Receive and File: a. Council Calendar b. Council Meeting Tentative Agenda	Received
	3.3 Approve Budget Amendment #6 – Increase Appropriations for Mayor and Council Budget – Funding of Branding and Facilitator Contracts RESOLUTION NO. 05-66 – A RESOLUTION APPROVING BUDGET AMENDMENT #6 TO THE FY 2005-06 BUDGET TO INCREASE APPROPRIATIONS IN THE MAYOR AND COUNCIL BUDGET FOR THE FUNDING OF THE BRANDING AND FACILITATOR CONTRACTS	Approved
	3.4 Approve Amendment to IGA with Washington County for Administration of the Urban Area Security Initiative Grant Program	Approved

Agenda Item	Discussion & Comments	Action Items (follow up)
3. Consent Agenda continued	3.5 Local Contract Review Board a. Award Contract for the Tigard Down- town Comprehensive Streetscape Project Design Services to OTAK, Inc.	Approved
4. Update – Youth Advisory Council and Tigard Turns the Tide	YAC Vice President Lindsey Boyce and Treasurer Alexander Carsh presented their report to the City Council. Highlights included: <ul style="list-style-type: none"> ○ Several YAC members attended leadership training recently. ○ YAC is sponsoring a dinner followed by a time for crafts at the Good Neighbor Center on December 3. ○ Third annual blanket drive is underway, now until December 2. ○ With assistance from City of Tigard Web Administrator Soares, the YAC has posted a web site and keeps it updated. ○ Reviewed a recent Washington County Youth Summit where the topic was tobacco, drug and alcohol abuse. Participants are working on a project. ○ Tickets were sold to a Meier & Frank Shopping Day, which benefited charities. ○ Participated in a Tigard High School Club Rush. YAC received responses to surveys and also were able to recruit some new members. ○ YAC is sponsoring a Youth Summit on March 16, 2006. Theme is <i>Get a Voice, Be Heard.</i> ○ YAC has 15 active members ○ Meetings are held on 1st and 3rd Wednesdays at the Water Building, 6 p.m. 	Report/No action

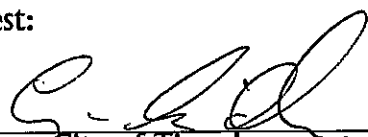
Agenda Item	Discussion & Comments	Action Items (follow up)
<p>5. Amend TMC Chapter 7.40, Nuisances -- Relating to Construction Noise Hours</p>	<p>Building Official Lampella presented the staff report.</p> <p>During discussion Councilor Harding suggested the exceptions be limited to six days a week rather than the recommended seven days per week. Discussion followed. Those City Council members who expressed support stated they were doing so because it would be easier to enforce (consistency) and the fact that some reduction in the length of time for noise was proposed.</p> <p>ORDINANCE NO. 05-14 – AMENDING SECTION 7.40.180 OF THE TIGARD MUNICIPAL CODE FOR EXCEPTION TO PERMITTED NOISE.</p>	<p>Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adopt Ordinance No. 04-14.</p> <p>The motion was approved by a majority vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding No Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p>
<p>6. Amend TMC Chapter 3.24, Systems Development Charges, Relating to Assessments</p>	<p>Building Official Lampella presented the staff report. He reviewed the history of this item noting the controversy about when to assess fees for system development charges (SDCs): at the time of permit application or at the time of permit issuance. Staff reviewed the issue and found that almost all surrounding jurisdictions collect SDC fees based on the date of application.</p> <p>At the August 16, 2005, Council workshop, staff reviewed this matter with the City Council. The Council reviewed the information staff prepared regarding planning and building fee assessment practices by neighboring jurisdictions. At this meeting, City Council directed staff to submit an ordinance to the City Council amending the Tigard Municipal Code specifying that City system development charges, based on a land use permit or building permit, will be assessed the rate in effect at the time of application.</p>	<p>Motion by Councilor Wilson, seconded by Councilor Sherwood, to adopt Ordinance No. 05-15.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
<p>6. Amend TMC Chapter 3.24, Systems Development Charges, Relating to Assessments Continued</p>	<p>The Homebuilders Association supports the proposed amendment.</p> <p>ORDINANCE NO. 05-15 – AMENDING SECTION 3.24.090 OF THE TIGARD MUNICIPAL CODE CLARIFYING THAT CITY SYSTEM DEVELOPMENT CHARGES ARE ASSESSED BASED ON THE FEE IN EFFECT AT THE TIME OF PERMIT APPLICATION.</p>	
<p>7. Add Chapter 9.08 to TMC, Heritage Trees</p>	<p>City Forester Stine and Tree Board Chair Gillis presented the staff report. Chair Gillis described the Heritage Tree Program, which was created by the Tree Board to identify and bring public awareness to very large and old trees within the City limits. Heritage Trees should be distinguished and will be subject to review and approval by the Tree Board and City Council.</p> <p>There is a requirement that a permit must be obtained for removal of a Heritage Tree. It was suggested that if a Heritage Tree is diseased or damaged, that the cost of the removal permit be nominal; i.e., \$1. Provisions for tree removal were reviewed. The City Forester would issue the removal permit and no fee is involved. Funds for this program are will become part of the function of the urban forestry division and budget. City Forester Stine confirmed that a press release on this program would be submitted if the City Council adopted the proposed ordinance.</p> <p>ORDINANCE NO. 05-16 – AN ORDINANCE ADDING A NEW CHAPTER 9.08 TO THE TIGARD MUNICIPAL CODE TO ADOPT THE HERITAGE TREE PROGRAM.</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Woodruff, to adopt Ordinance No. 05-16.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes</p>

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8. Conveyance of an Access Easement to the Fields' Property	<p>City Engineer Duenas presented the staff report to the City Council. The issue before the City Council was whether to approve a conveyance of an access easement through the library property following along the Wall Street alignment to provide access to the Fields' property adjacent and to the east of the library site.</p> <p>Council discussed this matter with City Engineer Duenas. Issues included:</p> <ul style="list-style-type: none">○ Prior agreement with Mr. Fields to provide reasonable access to his property.○ City's plans to build Wall Street adjacent to library property and also to increase size of the library parking lot.○ Preservation of a potential alignment for Wall Street.○ Councilor Sherwood and Councilor Woodruff indicated support if this satisfies the legal obligation to Mr. Fields.○ Councilor Harding expressing concerns that she did not have sufficient information to make a decision on this matter.	<p>Motion by Mayor Dirksen, seconded by Councilor Sherwood, to approve conveyance of access easement.</p> <p>The motion was approved by a majority vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>No</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr><tr><td>Councilor Woodruff</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	No	Councilor Sherwood	Yes	Councilor Wilson	Yes	Councilor Woodruff	Yes
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Councilor Woodruff	Yes											
	<p>Business meeting concluded at 8:36 p.m. followed by an *Executive Session and review of Study Session items.</p> <p>*See notation on Executive Session on Page 4.</p>											
12. Adjournment	Meeting adjourned at 10 p.m.											


Catherine Wheatley, City Recorder

Attest:



Mayor, City of Tigard

Date: 12.13.05

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